

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
CLERKS OFFICE  
2004 OCT 25 A 11:10

Kipp R. Gibbs,  
Plaintiff,

v.

SLM Corp. (a.k.a. Sallie Mae and as  
USA Education, Inc.), Sallie Mae  
Servicing, L.P., Nellie Mae, USA Funds,  
General Revenue Corporation,  
Defendants.

U.S. DISTRICT COURT  
DISTRICT OF MASS.

CIVIL ACTION NO. 03-cv-12565-PBS

**OPPOSITION TO DEFENDANTS' MOTION TO DISMISS, DOCKET 37**

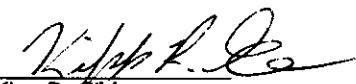
**I. Defendants' Motion to Dismiss Is Not Factually Based.**

All of the papers filed by the Defendants' counsel, including the most recent motion to dismiss, are riddled with inaccuracies, shameless distortions, and untruths. Defendants have engaged in wholesale prevarication, enabled by a seemingly complicitous court.

It is unlikely the media will accommodate the corporate defendants<sup>1</sup>. They will have a go at it next. The court of public opinion is a harsher, but requisite critic. The Plaintiff will appeal, as necessary, decisions of the Court, or parts thereof, when enough people are expectedly scrutinizing the proceedings.

The Plaintiff has already answered the disingenuous rants of the Defendants numerous times, and will not iterate them here.

Make your decision.

  
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<sup>1</sup> Please see New York Times, September 22, 2004 and October 12, 2004, Greg Winter.